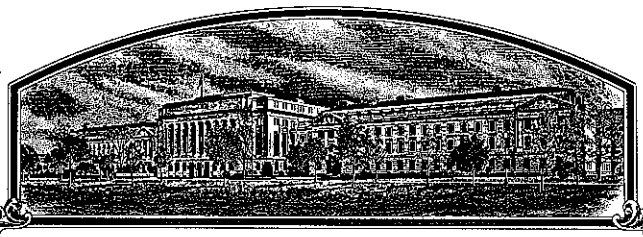

No. 9000266

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Northrup King Co.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT TY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'S61-89'

In Testimony Whereof, *I have hereunto set my hand and caused the seal of the* Plant Variety Protection Office *to be affixed at the City of* Washington, D.C. *this* 31st *day of* August *in the year of our Lord one thousand nine hundred and* ninety-two.

Attest:

Kenneth B. Evans

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Edward Madigan

Secretary of Agriculture

FORM APPROVED: OMB 0581-0055, Expires 1/31/91

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) *(as it is to appear on the Certificate)*
Northrup King Co.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NO.
X8961

3. VARIETY NAME
S61-89

4. ADDRESS *(street and no. or R.F.D. no., city, state, and ZIP)*
P. O. Box 959
Minneapolis, MN 55440

5. PHONE *(Include area code)*
612-593-7333

FOR OFFICIAL USE ONLY

PVPO NUMBER
9000266

FILING
Date: Sept 6, 1990
Time: ☐ A.M. ☐ P.M.

FEES RECEIVED
Filing and Examination Fee: $2150.00
Date: Sept. 6, 1990
Certificate Fee: $250.00
Date: July 27, 1992

6. GENUS AND SPECIES NAME
Glycine max

7. FAMILY NAME *(Botanical)*
Leguminosae

8. CROP KIND NAME *(Common Name)*
Soybean

9. DATE OF DETERMINATION
March, 1987

10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION *(Corporation, partnership, association, etc.)*
Corporation

11. IF INCORPORATED, GIVE STATE OF INCORPORATION
Delaware

12. DATE OF INCORPORATION
1976

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS
Robert W. Romig
Northrup King Co.
P. O. Box 959
Minneapolis, MN 55440
PHONE *(Include area code)*: 612-593-7305

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED *(Follow INSTRUCTIONS on reverse)*

a. ☒ Exhibit A, Origin and Breeding History of the Variety.
b. ☒ Exhibit B, Novelty Statement.
c. ☒ Exhibit C, Objective Description of Variety.
d. ☐ Exhibit D, Additional Description of Variety.
e. ☒ Exhibit E, Statement of the Basis of Applicant's Ownership.
f. ☒ Seed Sample (2,500 viable untreated seeds). Date Seed Sample mailed to Plant Variety Protection Office _____.
g. ☒ Filing and Examination Fee ($2,150) made payable to "Treasurer of the United States."

15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? *(See section 83(a) of the Plant Variety Protection Act.)*
☐ YES *(If "YES," answer items 16 and 17 below)* ☒ NO *(If "NO," skip to item 18 below)*

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?
☐ YES ☒ NO

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?
☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

18. DID THE APPLICANT(S) PREVIOUSLY FILE FOR PROTECTION OF THE VARIETY IN THE U.S.?
☐ YES *(If "YES," through* ☐ Plant Variety Protection Act ☐ Patent Act. Give date: _____.)
☒ NO

19. HAS THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?
☐ YES (If "YES," give names of countries and dates)
☒ NO

20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in section 41, and is entitled to protection under the provisions of section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT *(Owner(s))*	CAPACITY OR TITLE	DATE
Robert W. Romig	Vice President, Research	8/31/90
SIGNATURE OF APPLICANT *(Owner(s))*	CAPACITY OR TITLE	DATE

EXHIBIT A

Origin and Breeding History of S61-89

In 1978, the Ring Around breeding group at Plainview, Texas made a cross between Bedford and a breeding line derived from the three-way cross (SB168 x Cross II(a)45(d)1) x RA(c)56. This resulted in a four-way cross from which the variety S61-89 is derived. RA(c)56 was an experimental designation for later released variety RA 604, cross II(a)45 a selection from a population derived from the cross Davis x Lee 68 and obtained from Dr. C. E. Caviness, University of Arkansas, and SB168 a cyst nematode resistant selection from a cross of the breeding line D72-8867A with an unknown indeterminate parent; D72-8867A carried resistance to Races 3 and 5 of the soybean cyst nematode derived independently from PI 90763 and either of the varieties Centennial and Dyer.

The F1 of this four-way cross was grown in the greenhouse at Plainview during the winter of 1978-79 and 200 F2 seed produced. These were grown in the field during summer 1979 and bulked to produce 600g F3 seed. Part of this F3 was field planted in 1980 in a cyst nematode infested field at Fisher, Arkansas and selected plants were again bulked. In 1981, this F4 bulk was planted at Plainview and single plant selections made at harvest. In 1982, these F5 progenies were planted in long single rows as part of a preliminary yield trial (#54) at Fisher, AR and Midville, GA. At harvest row #6348, which was denoted as Sx 813(i)17 was harvested and advanced to "Block Trials" in 1983 and until the Ring Around Soybean program was sold towards the end of 1984.

The line arrived at CR Seeds, Bay, Arkansas in March 1985 under the 1984 seed source designation: Sx 813(i)17 and was renumbered Co 84M-685. From 1985-86, Co 84M-685 was evaluated in yield trials throughout the mid-southern United States. During this period, the line was characterized as possessing purple flowers, tawny pubescence, tan pods, and seeds having a black hilum and absence of seed coat luster. It was also established that Co 84M-685 carried resistance to Races 3 and 4 of soybean cyst nematode. Co 84M-685 was further evaluated in advanced trials across a wide range of environments from 1987-89, when it was also found to be moderately resistant to Race 5 of cyst nematode and Frogeye leafspot. Based on its yield superiority as well as this disease resistance, it was released in 1990 as S61-89.

Breeders seed was produced in 1988 by intensively roguing pre-breeders seed. Foundation seed was produced and approved by the Arkansas State Plant Board in 1989. Varietal purity will be maintained using progeny rows and roguing as needed.

S61-89 is a uniform, stable variety. Occasional off-types with purple flowers, gray pubescence and imperfect black hilum, or tawny pubescence and brown hilum have been observed. We assume these have resulted from mixture. During five years of testing and three years of seed increase, we have observed no other off-types except for minor environmentally induced variation in the intensity of hilum pigmentation.

EXHIBIT B

Novelty Statement for the Variety

Soybean variety S61-89 is most similar to the variety Bedford. It can be differentiated from Bedford on the basis of flower color, resistance to Race 5 of soybean cyst nematode (Heterodera glycines) and Frogeye leaf spot (Cercospora sojinae). S61-89 is moderately resistant to Race 5 of cyst nematode and to Frogeye leaf spot, and has purple flowers. Bedford is susceptible to Race 5 of cyst nematode and to Frogeye leaf spot, and has white flowers.

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EXHIBIT B (AMENDED)

Novelty Statement for Soybean Variety 'S61-89'

Soybean variety 'S61-89' is most similar to the variety Bedford. It can be differentiated from Bedford on the basis of flower color, response to Race 5 of soybean cyst nematode (*Heterodera glycines*) and response to Frogeye leaf spot (*Cercospora sojinae*). Variety 'S61-89' has purple flowers and is moderately resistant to Race 5 of cyst nematode, whereas Bedford has white flowers and is susceptible to Race 5 of cyst nematode. Variety 'S61-89' also has greater resistance to Races 4 & 5 of Frogeye leaf spot, as shown in the table below.

Table 1. Average leaf area affected from challenge by spores of *Cercospora sojinae*

Variety	Race 4, Isolate-		
	CS-03	CS-05	Race 5
	%	%	%
S61-89	0.4	0.6	0.3
Bedford	16.6	25.0	12.8
Blackhawk (susceptible)	39.4	43.6	23.0
Davis (resistant)	0.0	0.0	0.0
$LSD_{.05}$	8.5	13.3	8.9

This Frogeye leaf spot test was conducted in a greenhouse at Auburn University in the spring of 1992. Plants were inoculated at the V1-V2 leaf stage with a suspension of spores in water with Tween 20 surfactant at a concentration of from $4x10^4$ to $6x10^4$ spores/ml. Inoculated pots were placed on a greenhouse bench in a randomized complete block design with four replications (four pots) for isolates of Race 4 and three replicants (three pots) for Race 5. Scores represent the area affected, as percent, from three leaflets/plant with three plants/pot.

FORM APPROVED: OMB NO. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Soybean)

OBJECTIVE DESCRIPTION OF VARIETY
SOYBEAN (Glycine max L.)

NAME OF APPLICANT(S)	TEMPORARY DESIGNATION	VARIETY NAME
Northrup King Co.	X8961	S61-89

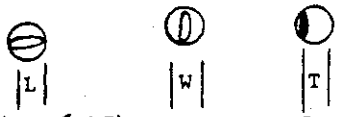
ADDRESS *(Street and No., or R.F.D. No., City, State, and Zip Code)*
P. O. Box 959
Minneapolis, MN 55440
Attention: R. W. Romig

FOR OFFICIAL USE ONLY
PVPO NUMBER
9000266

Choose the appropriate response which characterizes the variety in the features described below. When the number of significant digits in your answer is fewer than the number of boxes provided, place a zero in the first box when number is 9 or less (e.g., [0][9]).

1. SEED SHAPE:

[1]



1 = Spherical (L/W, L/T, and T/W ratios = < 1.2)
2 = Spherical Flattened (L/W ratio > 1.2; L/T ratio = < 1.2)
3 = Elongate (L/T ratio > 1.2; T/W = < 1.2)
4 = Elongate Flattened (L/T ratio > 1.2; T/W > 1.2)

2. SEED COAT COLOR: (Mature Seed)

[1] 1 = Yellow 2 = Green 3 = Brown 4 = Black 5 = Other *(Specify)* _____

3. SEED COAT LUSTER: (Mature Hand Shelled Seed)

[1] 1 = Dull ('Corsoy 79'; 'Braxton') 2 = Shiny ('Nebsoy'; 'Gasoy 17')

4. SEED SIZE: (Mature Seed)

[1][1] Grams per 100 seeds

5. HILUM COLOR: (Mature Seed)

[6] 1 = Buff 2 = Yellow 3 = Brown 4 = Gray 5 = Imperfect Black 6 = Black 7 = Other *(Specify)* _____

6. COTYLEDON COLOR: (Mature Seed)

[1] 1 = Yellow 2 = Green

7. SEED PROTEIN PEROXIDASE ACTIVITY:

[1] 1 = Low 2 = High

8. SEED PROTEIN ELECTROPHORETIC BAND:

[2] 1 = Type A ($SP1^a$) 2 = Type B ($SP1^b$)

9. HYPOCOTYL COLOR:

[4] 1 = Green only ('Evans'; 'Davis') 2 = Green with bronze band below cotyledons ('Woodworth'; 'Tracy')
3 = Light Purple below cotyledons ('Beeson'; 'Pickett 71')
4 = Dark Purple extending to unifoliate leaves ('Hodgson'; 'Coker Hampton 266A')

10. LEAFLET SHAPE:

[3] 1 = Lanceolate 2 = Oval 3 = Ovate 4 = Other *(Specify)* _____

5

11. LEAFLET SIZE:

[2] 1 = Small ('Amsoy 71'; 'A5312') 2 = Medium ('Corsoy 79'; 'Gasoy 17')
3 = Large ('Crawford'; 'Tracy')

12. LEAF COLOR:

[2] 1 = Light Green ('Weber'; 'York') 2 = Medium Green ('Corsoy 79'; 'Braxton')
3 = Dark Green ('Gnome'; 'Tracy')

13. FLOWER COLOR:

[2] 1 = White 2 = Purple 3 = White with purple throat

14. POD COLOR:

[1] 1 = Tan 2 = Brown 3 = Black

15. PLANT PUBESCENCE COLOR:

[2] 1 = Gray 2 = Brown (Tawny)

16. PLANT TYPES:

[2] 1 = Slender ('Essex'; 'Amsoy 71') 2 = Intermediate ('Amcor'; 'Braxton')
3 = Bushy ('Gnome'; 'Govan')

17. PLANT HABIT:

[1] 1 = Determinate ('Gnome'; 'Braxton') 2 = Semi-Determinate ('Will')
3 = Indeterminate ('Nebsoy'; 'Improved Pelican')

18. MATURITY GROUP:

[ ][9] 1 = 000 2 = 00 3 = 0 4 = I 5 = II 6 = III 7 = IV 8 = V
9 = VI 10 = VII 11 = VIII 12 = IX 13 = X

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

BACTERIAL DISEASES:

[2] Bacterial Pustule *(Xanthomonas phaseoli* var. *sojensis)*

[1] Bacterial Blight *(Pseudomonas glycinea)*

[2] Wildfire *(Pseudomonas tabaci)*

FUNGAL DISEASES:

[1] Brown Spot *(Septoria glycines)*

Frogeye Leaf Spot *(Cercospora sojina)*

[ ] Race 1 [ ] Race 2 [ ] Race 3 [ ] Race 4 [ ] Race 5 [2] Other *(Specify)* Resistant to common Mid-South Biotypes

[ ] Target Spot *(Corynespora cassiicola)*

[ ] Downy Mildew *(Peronospora trifoliorum* var. *manshurica)*

[2] Powdery Mildew *(Microsphaera diffusa)*

[ ] Brown Stem Rot *(Cephalosporium gregatum)*

[ ] Stem Canker *(Diaporthe phaseolorum* var. *caulivora)*

6

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant) (Continued)

FUNGAL DISEASES: (Continued)

[ ] Pod and Stem Blight *(Diaporthe phaseolorum* var; *sojae)*

[ ] Purple Seed Stain *(Cercospora kikuchii)*

[ ] Rhizoctonia Root Rot *(Rhizoctonia solani)*

Phytophthora Rot *(Phytophthora megasperma* var. *sojae)*

[1] Race 1 [1] Race 2 [1] Race 3 [1] Race 4 [1] Race 5 [1] Race 6 [1] Race 7

[1] Race 8 [1] Race 9 [1] Other *(Specify)* _____

VIRAL DISEASES:

[ ] Bud Blight (Tobacco Ringspot Virus)

[ ] Yellow Mosaic (Bean Yellow Mosaic Virus)

[ ] Cowpea Mosaic (Cowpea Chlorotic Virus)

[ ] Pod Mottle (Bean Pod Mottle Virus)

[ ] Seed Mottle (Soybean Mosaic Virus)

NEMATODE DISEASES:

Soybean Cyst Nematode *(Heterodera glycines)*

[ ] Race 1 [ ] Race 2 [2] Race 3 [2] Race 4 (14) [ ] Other *(Specify)* Moderately Resistant to Race 5

[ ] Lance Nematode *(Hoplolaimus Colombus)*

[2] Southern Root Knot Nematode *(Meloidogyne incognita)*

[ ] Northern Root Knot Nematode *(Meloidogyne Hapla)*

[1] Peanut Root Knot Nematode *(Meloidogyne arenaria)*

[ ] Reniform Nematode *(Rotylenchulus reniformis)*

[ ] OTHER DISEASE NOT ON FORM *(Specify):* _____

20. PHYSIOLOGICAL RESPONSES: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[ ] Iron Chlorosis on Calcareous Soil

[ ] Other *(Specify)* _____

21. INSECT REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[ ] Mexican Bean Beetle *(Epilachna varivestis)*

[ ] Potato Leaf Hopper *(Empoasca fabae)*

[ ] Other *(Specify)* _____

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant Shape	Bedford	Seed Coat Luster	RA604
Leaf Shape	RA604	Seed Size	Bedford
Leaf Color	RA604	Seed Shape	RA604
Leaf Size	RA604	Seedling Pigmentation	RA604

23. GIVE DATA FOR SUBMITTED AND SIMILAR STANDARD VARIETY: Paired Comparison Data

VARIETY	NO. OF DAYS MATURITY	PLANT LODGING SCORE	CM PLANT HEIGHT	LEAFLET SIZE		SEED CONTENT		SEED SIZE G/100 SEEDS	NO. SEEDS/ POD
				CM Width	CM Length	% Protein	% Oil		
S61-89 Submitted	152	1.7	84	7.4	11.8	35.0	18.0	11.2	2-3
Coker 485 Name of Similar Variety	150	1.6	94	7.8	12.1	39.2	16.2	13.0	2-3

PUBLICATIONS USEFUL AS REFERENCE AIDS FOR COMPLETING THIS FORM:

1. Caldwell, B.E., ed. 1973. Soybeans: Improvement, Production, and Uses. Amer. Soc. Agron. Monograph No. 16.
2. Buttery, B.R. and R.I. Buzzell. 1968. Peroxidase activity in seeds of soybean varieties. Crop Sci., 8: 722-725.
3. Hymowitz, T. 1973. Electrophoretic analysis of SBTI-A_2 in the USDA soybean germplasm collection. Crop Sci., 13: 420-421.
4. Payne, R.C. and L.F. Morris. 1976. Differentiation of soybean cultivars by seedling pigmentation patterns. J. Seed Technol. 1: 1-19.

EXHIBIT E

Statement of the Basis of Applicant's Ownership

Soybean variety S61-89 was developed by the Northrup King Co. soybean breeding staff from germplasm sources cited in Exhibit A of this application. Northrup King Co. believes that the variety is novel as defined in the Plant Variety Protection Act and, therefore, that Northrup King Co. is the sole owner of the variety.